

**A SUBSTITUTE ORDINANCE
BY FINANCE/ EXECUTIVE COMMITTEE**

06-O-1855

A SUBSTITUTE ORDINANCE TO AMEND THE PENSION ACTS APPLICABLE TO THE CITY OF ATLANTA, SO AS TO PROVIDE FOR CONTINUED RECEIPT OF MONTHLY PENSION BENEFITS FOR THE CLASS OF BENEFICIARIES OF EMPLOYEES IN THE FIREFIGHTERS' PENSION FUND, WHO ARE UNMARRIED MINOR CHILDREN UNDER THE AGE OF TWENTY- THREE AND CURRENTLY AND CONTINUOUSLY ENROLLED IN SCHOOL; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta acknowledges the desire for its employees to financially assist the educational pursuits of their children throughout secondary school and higher education; and

WHEREAS, beneficiaries who are minor children become ineligible to receive a monthly pension benefit when either they marry or reach 18 years of age; and

WHEREAS, beneficiaries continually and currently enrolled in secondary or higher education are likely to exceed eighteen years of age; and

WHEREAS, the Firefighters' Pension Fund desires to change the requirements for beneficiaries who are minor children, so that those beneficiaries who are less than 23 years of age, enrolled as a full-time student at an accredited secondary school, college or university, and unmarried will continue to receive pension benefits.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

SECTION 1: That Georgia Laws 1924, as amended by Georgia Laws 1978, page 4522, as codified in Subpart B, Chapter 6, Article IV, Division 1, Section 6-367 (p), third paragraph, of the City of Atlanta Charter which reads:

Should any officer or employee become eligible for a service pension and thereafter remain in the service of such city, then upon the death of such person, without having retired, the spouse or domestic partner of such person may apply for a beneficiary pension as provided for in this amendment, which shall continue for the life of such spouse or domestic partner. In the event of the death or disqualification of a spouse or domestic partner to receive such beneficiary pension, then the unmarried child or children (natural or legally adopted) under the age of 18 years shall succeed to the rights of such deceased or disqualified spouse or domestic partner, as above provided, and such beneficiary pension shall be continued to such child or children until the youngest living child shall reach the age of 18 years, die, or marry, whichever event should first occur. No child (natural or legally adopted) of such officer or employee shall be entitled to receive any benefits unless such child is less than 18 years of age and unmarried.

is hereby further amended to read as follows:

Should any officer or employee become eligible for a service pension and thereafter remain in the service of such city, then upon the death of such person, without having retired, the spouse or domestic partner of such person may apply for a beneficiary pension as provided for in this amendment, which shall continue for the life of such spouse or domestic partner. In the event of the death or disqualification of a spouse or domestic partner to receive such beneficiary pension, then the unmarried child or children (natural or legally adopted) under the age of 18 years shall succeed to the rights of such deceased or disqualified spouse or domestic partner, as above provided, and such beneficiary pension shall be continued to such child or children until the youngest living child shall reach the age of 18 years, die, or marry, whichever event should first occur. No child (natural or legally adopted) of such officer or employee shall be entitled to receive any benefits unless such child is less than 18 years of age and unmarried or unless such child is less than 23 years of age and enrolled as a full-time student at an accredited secondary school, college or university, and unmarried.

SECTION 2: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.